

Exhibit “E”

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

CELLULAR COMMUNICATIONS
EQUIPMENT LLC,

Plaintiff,

v.

HTC CORPORATION et al.,

Defendants.

Civil Action No. 6:13-cv-507

**JURY TRIAL DEMANDED
(Consolidated Lead Case)**

DISCLOSURE OF FINAL ELECTION OF ASSERTED PRIOR ART

Pursuant to the Court's Docket Control Order (D.I. 527) and paragraphs 3, 4, and 5 of the Model Order Focusing Patent Claims and Prior Art to Reduce Cost, Defendant Apple, Inc. hereby submits its Final Election of Asserted Prior Art. Pursuant to 35 U.S.C. § 299, each Supplier/Independent Defendant will present its invalidity defenses at its separate trial.

Apple reserves the right to use each reference to invalidate asserted claims by showing that it anticipates or showing the reference renders asserted claims obvious in light of the knowledge of a person of ordinary skill in the art or in combination with other references. These disclosures are made prior to the close of fact and expert discovery and Apple reserves the right to amend or supplement as necessary in light of information learned during subsequent discovery. Apple reserves the right to further amend its election once the Court rules on Plaintiff's Motion for Leave to Supplement Plaintiff's Second Supplemental Disclosure of Asserted Claims and Infringement Contentions (D.I. 541).

Apple reserves the right to rely on all prior art disclosed in the initial invalidity contentions, to rely on additional or different prior art and/or to amend or supplement disclosures as necessary to show the nature and/or level of skill or knowledge of a person of ordinary skill in the art at the time of the claimed invention.

Apple reserves the right to rely on any prior art reference successfully used at trial, even if those references were not disclosed in the attached exhibits. For example, if one defendant successfully uses a particular reference at trial to invalidate at least one claim of the asserted patents, Apple reserves the right to use the same reference in its separate trial, regardless of whether Apple disclosed the reference in its attached exhibit.

Apple's Final Election of Prior Art with respect to the claims of U.S. Patent No. 8,055,820 asserted against Apple is set forth below:

	Reference or Instrumentality	Note
1	U.S. Patent No. 8,687,565, 3GPP Proposal R2-074434, and 3GPP Proposal R2-074245	U.S. Patent No. 8,687,565 assigned to LG Electronics and 3GPP Proposals R2-074434 and R2-074245 by LG Electronics are closely related work and count as one reference under the Model Order.
2	U.S. Patent No. 7,769,926	
3	U.S. Patent No. 8,031,655	
4	WO Pub. No. 2006/052086 (PCT/KR/2005/003792)	
5	Combination of U.S. Patent No. 8,031,655 and 3GPP Proposal R2-074682 and U.S. Patent No. 8,243,666	
6	Combination of WO Pub. No. 2006/052086 (PCT/KR/2005/003792) and 3GPP Proposal R2-063414 and 3GPP Proposal R2-074682 and U.S. Patent No. 8,243,666	
7	Combination of prior art instrumentality implementing the 3GPP UMTS (“WCDMA”) family of standard specifications, including at least the following: 3GPP TS 25.321 (Dec. 2005) and 3GPP TS 25.309 (June 2005); and 3GPP Proposal R2-074682 and U.S. Patent No. 8,243,666	The prior art UMTS instrumentality and associated references that describe that instrumentality count as one reference under the Model Order
8	Combination of WO Pub. No. 2006/052086 (PCT/KR/2005/003792) and U.S. Patent App. Pub. No. 2006/0142444 and 3GPP Proposal R2-074682 and U.S. Patent No. 8,243,666	
9	3GPP Proposal R2-063414	

DATED: April 27, 2016

/s/Douglas E. Lumish

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document has been forwarded, via electronic mail upon Plaintiff's counsel of record on April 27, 2016.

/s/ *Michael J. Gerardi*
Michael J. Gerardi